

REMARKS

In response to the restriction requirement, the applicants elect Group I without traverse. The applicants' understanding of Group I is that it is crafted to exclude compounds comprising cyclic substituents (aromatic or non-aromatic) having an annular heteroatom (other than the core indole moiety). Accordingly, applicants have

1. canceled all subject matter comprising a cyclic moiety (aromatic or non-aromatic) having an annular heteroatom (other than the core indole moiety) as falling outside the scope of Group I; and
2. retained certain non-cyclic substituents not specifically mentioned in the description of Group I in the Office Action. For example, the following moieties have been retained:
 - a. in the definition of R³, C₁₋₂₀alkyoxy and -W-R⁸, where W is defined in the claims and R⁸ is aryl (optionally substituted, in some claims);
 - b. substituents on the main moieties of R³ other than annular heteroatom-containing cyclic groups;
 - c. substituents other than annular heteroatom-containing cyclic groups and compounds.

If the applicants' understanding of the scope of Group I is incorrect, the Office is respectfully requested to clarify. If no clarification is provided, the applicants will understand that all of the subject matter canceled from the claims is subject to restriction (i.e., falls outside the scope of elected Group I) and, therefore, can be pursued via a divisional application as defined in 37 C.F.R. 1.78(a)(2).

If there are any questions or comments regarding this Response or application, the Examiner is encouraged to contact the undersigned attorney as indicated below.

Respectfully submitted,

Date: October 29, 2007

Michael S. Greenfield/
Michael S. Greenfield
Registration No. 37,142

Telephone: 312-913-0001
Facsimile: 312-913-0002

McDonnell Boehnen Hulbert & Berghoff LLP
300 South Wacker Drive
Chicago, IL 60606